UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/24800
15 November 1992

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 783 (1992)

1. The present report is submitted to the Security Council in pursuance of paragraph 14 of resolution 783 (1992) of 13 October 1992. It also contains a brief overview of the main developments in Cambodia since my second progress report dated 21 September (S/24578).

2. By paragraph 12 of resolution 783 (1992), the Security Council invited the Governments of Thailand and Japan, in cooperation with the Co-Chairmen of the Paris Conference on Cambodia and in consultation with any other Government as appropriate, to continue their efforts to find solutions to the problems relating to the implementation of the Paris Agreements (S/23177, annex) and to report to the Secretary-General and the Co-Chairmen by 31 October 1992 on the outcome of their efforts. In their report (see annex I), the Governments of Thailand and Japan informed me that they had had consultations with the Party of Democratic Kampuchea (PDK) on 22 and 29 October. The two Governments expressed disappointment that PDK had "refused to address the contents" of the suggestion that was presented to that Party with a view to "meeting the concerns repeatedly raised" by it on the role of the Supreme National Council. The two Governments concluded that, although PDK had not stated that it rejected their suggestion, "it was clear, in view of the response by PDK, that the tripartite consultation was no longer the appropriate means to address the impasse in the peace process".

3. As invited under paragraph 13 of the same resolution, I wrote on 2 November to the Co-Chairmen of the Paris Conference and asked them to undertake appropriate consultations with a view to implementing fully the peace process. I also wrote to His Royal Highness Prince Norodom Sihanouk, President of the Supreme National Council, to apprise him of these developments.

4. Pursuant to that request, the Foreign Ministers of France and Indonesia, the Co-Chairmen of the Paris Conference, met in Beijing with Prince Sihanouk, members of the Supreme National Council representing the four Cambodian parties and representatives of the five permanent members of the Security Council, as well as Australia, Germany, Japan and Thailand. My Special Representative also participated in the Beijing consultations.

5. The Co-Chairmen subsequently presented to me a report, which is attached as annex II. In that report the Co-Chairmen informed me that it had become clear, during the consultations, that three of the Cambodian parties "remained fully committed to continue cooperating in the implementation of the peace process". PDK, on the other hand, had confirmed that it was "still not prepared to cooperate in the further implementation of the Paris Agreements". Furthermore PDK had also indicated its intention "not to take part in the electoral process and in the subsequent elections, so long as, according to [that Party], a neutral political condition as provided for in the Paris Agreements was not ensured". It therefore appears, on the basis of the report of the Co-Chairmen, that PDK is not prepared, under present conditions, to comply with paragraph 6 of resolution 783 (1992).

6. In a declaration released after the Beijing consultations (annex III), the Co-Chairmen reaffirmed that no party was entitled to withdraw from its obligations on the pretext of any complaint it might have regarding the implementation of the Paris Agreements. The Co-Chairmen also considered that PDK non-compliance with phase II of the cease-fire required an adjustment of the implementation plan, particularly as regards the activities of the Military Component of the United Nations Transitional Authority in Cambodia (UNTAC).

7. The difficulties that have arisen in the implementation of the second phase of the cease-fire have led to the effective suspension of the cantonment, disarmament and demobilization process. Nevertheless, UNTAC continues to make steady progress in the discharge of the other aspects of its mandate. Indeed, in Phnom Penh and in much of the countryside, the process of peaceful change and emergence from isolation has rapidly evolved over the last few months. Scattered violations of the cease-fire and of human rights continue. In this connection, there has recently been a disturbing number of what seem to be politically motivated acts of harassment, intimidation and violence, as well as an increase in banditry and urban crime. But the widespread presence of UNTAC and the significant volume of international private investment in Cambodia since March 1992 have transformed both the physical environment of the country and the attitudes of its people. The latter is most evident in the voter registration exercise.

8. Since the opening of voter registration in Phnom Penh on 5 October 1992, about a million Cambodians, or almost a quarter of the estimated 4.5 million qualified to do so, have now been duly registered. The initiation of the registration process in each province has been staggered as follows: Kandal, Svay Rieng, Prey Veng and Kampong Cham on 19 October; Kampong Speu, Kampong Chhnang, Sihanoukville, Pursat and Takeo on 26 October; and Kampot, Kratie, Mondulkiri, Ratanakiri, Stung Treng, Koh Kong, Kampong Thom, Battambang and Siem Reap on 9 November. The process will be launched in the remaining two provinces, Banteay Meanchey and Preah Vihear, on 23 November 1992. Registration has so far proceeded successfully. The UNTAC-trained Cambodian registration teams, working under international supervision, are hard-working and enthusiastic, and the voters have displayed a high level of patience and commitment to the process.

9. In order to ensure the continued success of voter registration and of the subsequent elections, UNTAC will further pursue its efforts to create and maintain a neutral political environment, in accordance with paragraph 9 of resolution 783 (1992) and the relevant provisions of the Paris Agreements. This will require continued emphasis, inter alia, on respect for human rights and fundamental freedoms, as well as the fostering of a feeling of security on the part of all Cambodians.

10. On 9 November, UNTAC Radio began broadcasting from a Phnom Penh-based transmitter loaned for UNTAC's exclusive use by the Party of the State of Cambodia (SOC). The broadcasts concentrate on information regarding voter registration and the electoral process, but also feature human rights and other aspects of the UNTAC mandate. Preparations are proceeding for the acquisition and installation of booster stations to ensure that the UNTAC message can be beamed to all parts of Cambodia.

11. By paragraph 10 of its resolution 783 (1992), the Security Council encouraged the Secretary-General and his Special Representative to make use fully of all possibilities offered by UNTAC's mandate, including annex 1, section B, paragraph 5 (b), of the Paris Agreements to enhance the effectiveness of existing civil police in resolving the growing problems relating to the maintenance of law and order in Cambodia.

12. The UNTAC Civilian Police Component, which is responsible for supervising and controlling the local police, has now reached almost full deployment with the arrival in Cambodia of some 3,400 of the 3,600 provided for. About 60 to 65 per cent of police personnel are engaged full-time in directly assisting the voter registration process.

13. In addition, the Component is training the local police in basic police methods throughout the zones to which it has access. This includes investigation and traffic control, as well as giving special instruction to police officers and judges in the implementation of the new penal code adopted by the Supreme National Council on 10 September 1992. The Component is also working in close cooperation with the Human Rights and Civil Administration Components on public security-related issues.

14. I remain concerned, however, about the military situation in the country. After a period of relative quiet in the rainy season, tension has again increased in the central and northern parts of Cambodia following a series of artillery exchanges. These are generally of an indecisive character with few casualties on either side, and no overall pattern is evident. In the opinion of UNTAC the responsibility for these cease-fire violations is divided between the two largest factions, PDK and SOC. I sincerely hope, however, that these violations do not constitute a prelude to the resumption of dry-season military activity by any of the parties. My Special Representative recently issued a call for military restraint. I too appeal to all parties to respect the cease-fire scrupulously and to refrain, in accordance with article 9 of the Paris Agreements, from any activity which is aimed at enlarging the territory they control or which might lead to renewed fighting.

15. Another disturbing development, in direct violation of paragraph 8 of resolution 783 (1992), is an increase in attacks on UNTAC personnel and helicopters. On 5 November, an UNTAC helicopter flying from Siem Reap to Samrong suffered a loss in hydraulic pressure as a result of small-arms fire above the village of Phum Damari Slap and was forced to land. Another helicopter arrived within minutes and picked up the 11 passengers and crew, but was itself fired upon and hit by 3 bullets.

16. On 7 November, an attack took place on the village of Choan Khsan in the province of Preah Vihear. UNTAC was obliged to evacuate an electoral team and 11 civilian Police Monitors. There were no casualties, and the nearby UNTAC check-point was subsequently reinforced by the Military Component. These attacks took place in areas where PDK is known to be present. That party is also believed to be responsible for the destruction of two bridges, on routes 6 and 21, on 13 October.

17. In the cantonment process, which began in June with the declaration of phase II of the cease-fire, some 55,000 troops of the three participating factions, or approximately a quarter of the estimated total number of troops, have entered the cantonment sites and handed over their weapons. Some 40,000 of them were subsequently released, subject to recall by UNTAC, on agricultural leave. PDK has, however, refused to participate and ordered its troops not to canton, although some 200 personnel of the National Army of Democratic Kampuchea (NADK) have spontaneously presented themselves to UNTAC. Under the circumstances, it has not been possible to continue the cantonment process towards its conclusion.

18. UNTAC has devoted and will continue to devote serious attention to the question of foreign forces. The Strategic Investigation Team established under annex II, article X of the Agreements will shortly submit to a special session of the Supreme National Council an interim report on its investigations of allegations or suspicions of the presence of foreign forces in Cambodia. To date, UNTAC has not found evidence of the presence of any formed units of such forces in areas to which it has access. In this context, I wish to call on all parties to facilitate, in accordance with paragraph 7 of resolution 783 (1992), UNTAC investigations of reports of foreign forces, foreign military assistance and cease-fire violations within the territory under their control.

19. The issue of foreign residents and immigrants is a matter which deeply concerns many Cambodians. The recent killings of Vietnamese-speaking villagers and fishermen in Tuk Meas village and in Koh Kong province have aroused serious concern about public security as well as about their implications for the creation of a neutral political environment. UNTAC investigations indicate that units of NADK were responsible for both incidents. While the issue of foreign residents is a matter for discussion between the future government of Cambodia and the Governments of neighbouring countries, UNTAC is considering the establishment of a Technical Advisory Committee to the Supreme National Council to gather factual information as a basis for such discussion.

20. In accordance with paragraph 3 of resolution 783 (1992), by which the Security Council supported the intention of the Secretary-General concerning the check-points in the country and along its borders with neighbouring countries, UNTAC has drawn up plans to strengthen border controls. The effective implementation of these plans, however, will require the close cooperation of neighbouring countries, as called for in paragraph 4 of resolution 783 (1992) and in the relevant provisions of the Paris Agreements.

21. I have carefully noted the Co-Chairmen's views regarding the discussions held in Beijing on the proposal for holding an election to designate a Cambodian head of State on the basis of direct universal suffrage. It will be recalled that, in my second progress report, I had indicated that UNTAC was examining this proposal. I share the Co-Chairmen's assessment that the holding of a presidential election would contribute to the process of national reconciliation and help to reinforce the climate of stability which will be needed during the delicate period when the Constituent Assembly will have the task of drafting and adopting the new Cambodian constitution. I have therefore asked my Special Representative to make contingency plans for the organization and conduct of such an election by UNTAC, on the understanding that it would require, in due course, the authorization of the Security Council and the provision of additional resources. It should be stressed, however, that the presidential election would need to be held within a time-frame that was realistic and practicable and did not compromise the election of a Constituent Assembly, which is the central objective of the Paris Agreements and the culminating event of the peace process.

CONCLUSIONS

22. I sincerely regret that PDK has not found it possible so far to cooperate with UNTAC in the implementation of the provisions of the Paris Agreements or to heed the unanimous appeals contained in Security Council resolutions 766 (1992) of 21 July and 783 (1992) of 13 October. I also regret that the commendable efforts undertaken successively by the Governments of Japan and Thailand and by the Co-Chairmen of the Paris Conference have not convinced PDK to fulfil its obligations under the agreements it solemnly signed a year ago.

23. It is worth recalling, in this context, that all Cambodian parties unequivocally accepted, under section A of annex I to the Paris Agreements, that the Secretary-General's Special Representative would determine, in all cases, whether advice or action of the Supreme National Council, and therefore of its members, was consistent with the Agreements. The participants in the Paris Conference had felt that this specific provision, as well as others relating to the resolution of all issues concerning the implementation of the Agreements, was essential to avoid a paralysis of the peace process. This is precisely the danger with which the Security Council, the international community, and above all, the Cambodian people, are now confronted.

24. This situation presents the Security Council with two difficult decisions. First there is the question of what further action should be taken to persuade PDK to comply with its obligations under the Paris Agreements. Considerable diplomatic efforts have been undertaken to that end by my Special Representative, by the other Cambodian parties, by Japan and Thailand and most recently by the Co-Chairmen of the Paris Conference. A number of measures, which have been taken by UNTAC in support of these diplomatic efforts, are referred to in this report and its annexes. Regrettably, these efforts have not succeeded. I have hitherto favoured patient diplomacy and I continue to believe that this is the best means of getting the peace process back on track. I am aware of the fact that there have been discussions on whether the Security Council should adopt a different approach and decide on specific measures to get PDK to honour its commitments. The feasibility of such measures would depend critically on the full cooperation of neighbouring countries and other Member States. I do not, however, recommend such an approach at this stage.

25. Secondly, it is necessary for the Security Council to decide whether to press on with implementation of as much as possible of the Paris Agreements, within the agreed timetable which calls for elections not later than May 1993, notwithstanding the non-cooperation of PDK. The alternatives would be either to put the process on hold until, by one means or another, PDK's cooperation was obtained or to conclude that it was not possible to pursue the operation under present conditions and that UNTAC should therefore be withdrawn. The latter course is clearly unacceptable after so much has been achieved and so many hopes raised that Cambodia will at last achieve peace and democracy. The idea of putting the process on hold must also be rejected. Neither the political nor the economic situation in Cambodia would sustain a prolonged transitional period. In addition, it would require the international community to maintain indefinitely a large and very costly operation, whose recurrent costs are now running at almost $100 million per month.

26. I therefore concur with the Co-Chairmen of the Paris Conference that the implementation of the peace process must continue and that the timetable, leading to the holding of free and fair elections no later than May 1993, must be maintained. But it is necessary to spell out what this will entail if - as I still hope will not be the case - PDK maintains its non-cooperation with UNTAC. The election will take place while a substantial part of the forces of the Cambodian parties remains under arms. Few of these troops will have been cantoned and the Paris Agreements' requirement that at least 70 per cent of them should have been demobilized will not have been met. This does not by itself mean that a free and fair election cannot be held; but it will add to UNTAC's difficulties both in organizing the election and in ensuring, as best it can, the security of candidates, voters and electoral officials throughout the electoral process. It also has to be observed that if UNTAC continues to be denied access to PDK-controlled areas, the people living in those areas are likely to be deprived of the opportunity to exercise their right to register and to vote.

27. In this connection, I have considered the possibility of organizing in these areas by-elections which would take place after the Constituent Assembly elections, provided UNTAC was given the access and freedom of movement required to ensure a free and fair process. I have, however, concluded that this idea is not worth pursuing for a number of reasons. Unless UNTAC had access to the population concerned and had been able to estimate its size, it would be technically difficult to devise an acceptable formula for calculating the number of seats to be kept vacant in the Constituent Assembly, especially since annex III, paragraph 2, of the Paris Agreements provides that the elections must be held "on a provincial basis in accordance with a system of proportional representation on the basis of list of candidates put forward by political parties". The holding of by-elections to fill the vacant seats would also lead to a delay in the Constituent Assembly's work and in the adoption of the new Cambodian constitution. This would in turn require an extension of the transitional period and would prolong UNTAC's costly presence in the country. In addition, this proposal could appear to give an unfair reward to a party that had failed to comply with essential provisions of the Paris Agreements, at the expense of other parties that had so complied. UNTAC will nevertheless continue to engage in an active dialogue with PDK, in an effort to meet any legitimate concerns that party may have and to persuade it to comply with its obligations under the Paris Agreements. In the hope that these efforts will succeed, UNTAC will remain prepared to accommodate PDK's entry into the process as long as this is practically feasible.

28. In the meantime, the various components of UNTAC will vigorously pursue the activities they have undertaken to implement, as far as possible, their respective mandates. The large number of Cambodians registering to vote is a significant sign of the change that has already taken place in the country. It demonstrates that Cambodians support UNTAC's efforts to achieve this change through peaceful means. UNTAC will therefore proceed with the preparations for the holding of the elections, in accordance with paragraph 2 of resolution 783 (1992).

29. UNTAC will give high priority to the creation and maintenance of a neutral political environment. In this context, it will actively support the right of any Cambodian to move freely throughout the country to exercise his or her right to register and to vote. UNTAC will broadcast to the widest possible audience the right of each individual Cambodian, wherever he or she lives, to take part in the process, and the importance of exercising that right.

30. UNTAC will also continue to supervise and control the activities of the existing civil police forces to ensure that law and order are maintained effectively and impartially and that human rights and fundamental freedoms are protected. It will pursue the repatriation of refugees and displaced persons as well as the rehabilitation assistance programmes approved by the Supreme National Council. In the area of civil administration, UNTAC will continue to extend, as necessary, its supervision and control over the existing administrative structures. The cooperation extended by the parties of Front Uni National pour un Cambodge Indépendent, Neutre, Pacifique et Coopératif (FUNCINPEC), Khmer People's National Liberation Front (KPNLF) and SOC has so

far been generally satisfactory. I wish to express my appreciation to these parties for their cooperation. At the same time, I wish to stress that the non-cooperation of one party should not be invoked by any other party as a pretext for withdrawing from its obligations under the Paris Agreements.

31. Given the continuing failure of PDK to enter phase II of the cease-fire and the resulting obstacle to the continuation of the cantonment and demobilization process, I have approved my Special Representative's recommendation that UNTAC should adjust the deployment of its Military Component, with a view to fostering a general sense of security among the Cambodian people and enhancing its ability to protect the voter registration and, subsequently, the polling process, particularly in remote or insecure areas. I am convinced, in this connection, that the projected reduction of the strength of the Military Component, as envisaged in my implementation plan of 19 February 1992 (S/23613), is no longer feasible. Accordingly, I propose that its present level of deployment be maintained until the elections. The financial implications of this adjustment to the implementation plan will be detailed in my forthcoming report to the General Assembly on the financing of UNTAC.

32. For UNTAC to achieve these goals effectively, the continuing support, commitment and cooperation of Prince Sihanouk, the Supreme National Council, the Cambodian people and neighbouring countries, is indispensable. The Security Council has a critical role to play in this regard. I hope that the Council will consider the adoption of measures that will facilitate UNTAC's mission and impress upon the parties concerned the firm determination of the international community to ensure the realization of the fundamental objectives of the Paris Agreements, so as to enable the Cambodian people to determine their own political future and open the way to the peace, freedom, stability and prosperity to which they have aspired for so long.

Annex I

[Original: English]

Report by the Governments of Japan and Thailand addressed to the Secretary-General of the United Nations and the Co-Chairmen of the Paris International Conference on Cambodia

dated 31 October 1992

INTRODUCTION

1. The Governments of Japan and Thailand undertook consultations with the Party of Democratic Kampuchea (PDK) on 22 and 29 October 1992 on the basis of paragraph 12 of Security Council resolution 783 (1992) of 13 October 1992. The present report is submitted to the Secretary-General of the United Nations and to the Co-Chairmen of the Paris Conference on Cambodia, as called for by the resolution. The report describes the situation that led to the consultations, the result of the consultations and the assessment by the Governments of Japan and Thailand of the consultations.

CONSULTATIONS BY JAPAN AND THAILAND WITH THE PARTY OF DEMOCRATIC KAMPUCHEA

2. At the Ministerial Conference on the Rehabilitation and Reconstruction of Cambodia, held in Tokyo on 22 June 1992, an informal proposal for discussion consisting of 11 points was drawn up in order to meet some of the concerns expressed by PDK. a/ The proposal was discussed at the Supreme National Council meeting held on 8 July 1992 in Phnom Penh, and was accepted by the Party of the State of Cambodia (SOC), the Front Uni National pour un Cambodge Indépendent, Neutre, Pacifique et Coopératif (FUNCINPEC) and Khmer People's National Liberation Front (KPNLF), but not by PDK. PDK, in the meantime, issued a series of proposals (27 June, 3 July, 12 July) describing its perception on the implementation of the peace process and conditions under which it was prepared to participate fully in the peace process, including the entering into the second phase of the cease-fire.

3. Against this background, the Governments of Japan and Thailand decided to hold an informal dialogue with PDK to hear out its claims and concerns. The first of such consultations was held at Bangkok on 17 July 1992. At the meeting, the representatives of PDK stated its basic positions describing its perception of the problems in the implementation of the peace process. PDK stressed two main points as essential:

(a) Verification of the withdrawal from Cambodia of all categories of foreign forces and their non-return to the country;

(b) Strengthening of the role of the Supreme National Council and the effective supervision and control of the existing administrative structures.

In the dialogue, PDK noted that considerable progress had been made by the United Nations Transitional Authority in Cambodia (UNTAC) in meeting the first point, but that measures taken by UNTAC to address the second point were unsatisfactory.

4. The Governments of Japan and Thailand carefully assessed the contention of PDK. Both Governments were of the view that, if the claims of PDK could be met by the measures that fell within the framework of the Paris Peace Agreements, then those measures should be suggested for implementation. Recognizing that PDK was concerned mainly with the strengthening of the role of the Supreme National Council and the effective supervision and control of existing administrative structures, the two Governments proposed the establishment of an Administrative Consultative Body in their "suggestion" (see appendix I), which was conveyed to PDK at the second tripartite consultation on 22 August 1992 in Bangkok. PDK had also prepared its own proposal dated 22 August 1992 for the meeting and suggested the establishment of Consultative Committees (see appendix II).

5. The third tripartite consultation was held on 27 August 1992 in Bangkok. PDK had merged the Thai-Japanese suggestion with their own proposal and came up with the new proposal (see appendix III). Japan and Thailand stressed to PDK that any new proposal must conform strictly to the Paris Agreements and that, in their views, the establishment of the Consultative Committees within the respective existing administrative structures as proposed by PDK went beyond the framework of the Paris Agreements. The Governments of Japan and Thailand instead suggested that the Consultative Committees be established as regional subsidiary bodies of the Administrative Consultative Body.

6. The Security Council adopted resolution 783 (1992) on 13 October 1992 after deliberating on the Secretary-General's report of 21 September 1992 (S/24578). In the resolution, the Council invited the Governments of Thailand and Japan, in cooperation with the Co-Chairmen and in consultation with any other Government as appropriate, to continue their efforts to find solutions to the current problems relating to the implementation of the Paris Agreements and to report to the Secretary-General and the Co-Chairmen of the Paris Conference by 31 October 1992 on the outcome of the efforts.

7. Immediately following the adoption of Security Council resolution 783 (1992), the Governments of Japan and Thailand began their work on revising their suggestion. The full responsibility for the revised suggestion (see appendix IV) rests with the Governments of Japan and Thailand, but the countries concerned and the United Nations Transitional Authority in Cambodia were consulted for their opinions prior to finalizing the text. The revised suggestion of Japan and Thailand was handed to PDK on 22 October 1992 in Phnom Penh, and it was agreed that both sides would meet again on 29 October 1992 to hear the views of PDK.

8. The fourth tripartite consultation between Japan, Thailand and PDK took place on 29 October 1992 in Phnom Penh. The representatives of the Co-Chairmen and UNTAC were invited to attend the consultation as observers.

9. (a) In the consultation, it was explained by Thailand and Japan to PDK that the meeting would be the last of the tripartite consultations, and that the consultation was conducted on the basis of Security Council resolution 783 (1992);

(b) Contrary to its position during the 22 and 27 August 1992 tripartite meetings, where PDK sought to address specific issues with a view to returning to the peace process, PDK stated that, in order to resolve the present impasse, it was necessary to discuss and come to a common understanding on the general situation concerning the implementation of the Paris Agreements and that, if a common understanding could be reached, then it would be easier to find specific measures to address the issues at hand. PDK then went on to reiterate its basic positions at great length, stressing that the most important aspect of the Paris Agreements, in its view, was to realize the withdrawal of all foreign forces from Cambodia. With regard to the revised suggestion by Japan and Thailand, PDK stated that, although it had studied the suggestion carefully, it did not consider that it addressed the deep aspiration of the Cambodian people. PDK further criticized UNTAC, in strong terms, saying that UNTAC cooperated with one of the Cambodian parties rather than the Supreme National Council in its implementation of the Paris Agreements. It further criticized recent UNTAC decisions and measures by saying that they had been taken without taking into consideration the role of the Supreme National Council;

(c) Both Japan and Thailand expressed their disappointment at the reaction of PDK, stressing, inter alia, that:

(i) In the previous consultations in August, PDK had explicitly confirmed that the strengthening of the role of the Supreme National Council and the establishment of the Consultative Committees were the only requirements on its part to enter into the second phase of the cease-fire;

(ii) The two Governments had, from the beginning of the consultations, tried to address the central concern of PDK as explained to them by PDK;

(iii) The broader context which PDK insisted as the fundamental issue to be addressed went beyond the scope of the efforts of Japan and Thailand called for by the Security Council and could not be addressed in the tripartite consultation;

(d) Japan and Thailand sought to obtain PDK's clearer reaction with regard to the revised suggestion of the two countries, but PDK only reverted to its previous statement without discussing the Thai-Japanese suggestion;

(e) In closing, the two countries expressed their hope that a solution might be found through further dialogue.

OBSERVATIONS BY JAPAN AND THAILAND

10. With regard to our assessment of this latest and final round of talks with PDK, the two countries are disappointed at the outcome in that (a) PDK has refused to address the contents of the Thai-Japanese suggestion, which is aimed precisely at meeting the concerns repeatedly raised by PDK on the role of the Supreme National Council; and (b) that PDK has once again gone back to talking about the broader situation concerning the implementation of the Paris Agreements, which has made it difficult, if not impossible, to pinpoint specific remedial measures. In this respect, PDK had backtracked on its earlier position in its proposals of 22 and 27 August 1992.

11. With regard to the revised Thai-Japanese suggestion, although PDK had not stated that it rejected the suggestion and although the elements in the suggestion may be relevant in addressing some of the concerns raised by PDK, it was clear, in view of the response by PDK, that the tripartite consultation was no longer the appropriate means to address the impasse in the peace process.

12. The Governments of Japan and Thailand firmly believe that the election for a constituent assembly should be held no later than May 1993, and that the Co-Chairmen of the Paris Conference should embark upon appropriate consultations as called for in Security Council resolution 783 (1992) with a view to implementing the peace process fully.

13. The Governments of Japan and Thailand remain ready to cooperate with the Co-Chairmen, His Royal Highness Samdech Preah Norodom Sihanouk, the United Nations and all parties concerned in the implementation of the Paris Agreements to bring about a lasting peace in Cambodia.

Notes

a/ S/24286, annex.

Appendix I

[Original: English]

Suggestion by Thailand and Japan

1. In addition to the 11 points contained in the Tokyo "non-paper" (see S/24286, annex), it is suggested that a new body be set up to deliberate on any requests, suggestions as well as possible complaints regarding all administrative matters that are related to the control and supervision by UNTAC of existing administrative structures stipulated in the Paris Agreements.

2. The Supreme National Council delegates to UNTAC all the necessary powers for the implementation of the Paris Agreements and, accordingly, the existing administrative structures must be placed under control of UNTAC according to the Paris Agreements.

3. The body shall be called the "Administrative Consultative Body" and shall be placed under the auspices of UNTAC (see attachment for the details).

4. The Administrative Consultative Body is designed to address administrative issues with a view to ensuring the neutrality of administrative actions leading to the holding of free and fair elections in Cambodia and will make recommendations to UNTAC for decision. All policy matters relating to the implementation of the Paris Agreements shall be handled by UNTAC in consultation with the Supreme National Council.

5. The functions of the Administrative Consultative Body shall be in strict conformity with the terms of the Paris Agreements.

6. The Administrative Consultative Body shall be established when all the Cambodian parties enter into phase II of the cease-fire.

Attachment

[Original: English]

Administrative Consultative Body

1. Objective: Act as a coordinating body for consideration of any requests made by any of the Cambodian parties regarding administrative matters relating to the implementation of the Paris Agreements.

2. Composition:

(a) Representatives of the four Cambodian parties: the ratio of representation is to be the same as that for the Supreme National Council;

(b) Representatives of UNTAC;

(c) One representative from the five permanent members of the Security Council, plus, as an observer with the right to speak, on a rotational basis in the alphabetical order of the following countries: Australia, China, France, Indonesia, Japan, Russian Federation, Thailand, United Kingdom of Great Britain and Northern Ireland and United States of America;

(d) The meetings are to be chaired by the Director for Civil Administration of UNTAC to be appointed by the Special Representative of the Secretary-General of the United Nations.

3. The Administrative Consultative Body shall be convened on a regular basis.

4. Functions of the Administrative Consultative Body: screening of the requests:

(a) If the requests warrant deliberations:

(i) Hearing of the party making the request and the party to which the request is directed will be conducted;

(ii) The Administrative Consultative Body may make recommendations to UNTAC for decision;

(b) If the requests do not merit further deliberation by UNTAC, the requesting party will be told of the conclusion together with the reasoning.

Appendix II

[Original: English]

Proposal of the Party of Democratic Kampuchea on the role of the Supreme National Council and the implementation of phase II

dated 22 August 1992

The Cambodian people and the international community have always reaffirmed the need for respecting the inalienable right of the Cambodian people freely to determine their destiny without outside pressure or interference.

They deem it necessary that the 23 October 1991 Paris Agreement on a Comprehensive Political Settlement of the Cambodia conflict be implemented loyally, impartially and in a balanced manner, especially its following two key provisions:

(a) The verification of the withdrawal of all categories of foreign forces from Cambodia and their non-return to the country;

(b) The appropriate measures to be taken so as to enable the Supreme National Council to fulfil its mandate as "the unique legitimate body and source of authority in Cambodia" during the transitional period.

The Cambodian people and the international community as a whole and the Association of South-East Asian Nations (ASEAN) in particular have expressed their earnest hope to see the Supreme National Council with His Royal Highness Samdech Norodom Sihanouk, Head of State, as its President, play its eminent role as "the unique legitimate body and source of authority in Cambodia", and called on all parties concerned to safeguard the integrity of the Supreme National Council.

His Excellency Yasushi Akashi, Special Representative of the Secretary-General and head of UNTAC, who, together with the Supreme National Council, has been entrusted by the Paris Agreement to see to it that the Agreement is implemented loyally, impartially and in a balanced manner, recognized at the Supreme National Council meeting in Siem Reap on 5 August 1992 that "there should be no government in Cambodia during the transitional period", that "all authority rests between UNTAC and the Supreme National Council", and that "the Cambodian sovereignty lies with the Supreme National Council".

The Party of Democratic Kampuchea, deeply devoted to peace, independence and national reconciliation, would like to express once again its unswerving commitment to the Paris Agreement.

Anxious to have the peace process move forward and the Paris Agreement implemented loyally, impartially and in a balanced manner by all parties concerned, the Party of Democratic Kampuchea:

(a) Expresses its readiness to enter phase II if appropriate measures are taken to confer upon the Supreme National Council all power and means to fulfil its mandate as "the unique legitimate body and source of authority in Cambodia" so as to enable the Supreme National Council with His Royal Highness Samdech Preah Norodom Sihanouk, Head of State, as its President, to take initiatives and actions aimed at achieving progressively national reconciliation and at the same time creating propitious conditions for fruitful cooperation between the Supreme National Council and UNTAC in the implementation of the Paris Agreement, all this in accordance with the unanimous wish of all and in keeping with the spirit and letter of the Paris Agreement;

(b) Wishes in this spirit that, among appropriate measures to be taken, the Consultative Committees of the Supreme National Council to be chaired by UNTAC be set up within the existing administrative structures and the police forces of all the Cambodian parties. Those Consultative Committees will assist UNTAC in its tasks of control and/or supervision of the existing administrative structures and the police forces of all the Cambodian parties, with a view to establishing and maintaining transparency and mutual confidence among all the Cambodian parties and achieving genuine national reconciliation and a neutral political environment conducive to the organization and conduct of free, democratic and fair general elections.

We also deem it necessary that the representatives of the four Cambodian parties be associated in the process of regroupment and cantonment of the armed forces of the four Cambodian parties.

The Party of Democratic Kampuchea hopes that this proposal, inspired by sincere goodwill to have the implementation of the Paris Agreement move forward, be seriously taken into consideration by all parties concerned.

Appendix III

[Original: English]

Proposal of the Party of Democratic Kampuchea on the role of the Supreme National Council and the implementation of phase II

dated 27 August 1992

The Cambodian people and the international community have always reaffirmed the need for respecting the inalienable right of the Cambodian people freely to determine their destiny without outside pressure or interference.

They deem it necessary that the 23 October 1991 Paris Agreement on a Comprehensive Political Settlement of the Cambodia conflict be implemented loyally, impartially and in a balanced manner, especially its following two key provisions:

(a) The verification of the withdrawal of all categories of foreign forces from Cambodia and their non-return to the country;

(b) The appropriate measures to be taken so as to enable the Supreme National Council to fulfil its mandate as "the unique legitimate body and source of authority in Cambodia" during the transitional period.

The Cambodian people and the international community as a whole and the Association of South-East Asian Nations (ASEAN) in particular have expressed their earnest hope to see the Supreme National Council with His Royal Highness Samdech Preah Norodom Sihanouk, Head of State, as its President, play its eminent role as "the unique legitimate body and source of authority in Cambodia", and called on all parties concerned to safeguard the integrity of the Supreme National Council

His Excellency Yasushi Akashi, Special Representative of the Secretary-General and head of UNTAC, who, together with the Supreme National Council has been entrusted by the Paris Agreement to see to it that the Agreement is implemented loyally, impartially and in a balanced manner, recognized at the Supreme National Council meeting in Siem Reap on 5 August 1992 that "there should be no government in Cambodia during the transitional period", that "all authority rests between UNTAC and the Supreme National Council", and that "the Cambodian sovereignty lies with the Supreme National Council".

The Party of Democratic Kampuchea, deeply devoted to peace, independence and national reconciliation, would like to express once again its unswerving commitment to the Paris Agreement.

Anxious to have the peace process moved forward and the Paris Agreement implemented loyally, impartially and in a balanced manner by all parties concerned, the Party of Democratic Kampuchea would like to make the following proposal:

(a) The Party of Democratic Kampuchea expresses its readiness to enter phase II if appropriate measures are taken to confer upon the Supreme National Council all power and means to fulfil its mandate as "the unique legitimate body and source of authority in Cambodia" so as to enable the Supreme National Council with His Royal Highness Samdech Preah Norodom Sihanouk, Head of State, as its President, to take initiatives and actions aimed at achieving progressively national reconciliation and at the same time creating propitious conditions for fruitful cooperation between the Supreme National Council and UNTAC in the implementation of the Paris Agreement, all this in accordance with the unanimous wish of all and in keeping with the spirit and letter of the Paris Agreement;

(b) Among appropriate measures, to set up:

(i) The Administrative Consultative Body or ACB (see attachment);

(ii) The Consultative Committees within the existing administrative structures and the police forces of all the Cambodian parties (see attachment).

We also deem it necessary that the representatives of the four Cambodian parties be associated in the control and verification process of the regroupment and cantonment of the armed forces of the four Cambodian parties.

Attachment

[Original: English]

I. The Administrative Consultative Body or ACB

1. Objective: To address administrative issues with a view to ensuring the neutrality of administrative actions and a neutral political environment leading to the holding of free and fair general elections in Cambodia and to make recommendations to UNTAC and the Supreme National Council for decision.

2. Composition:

(a) Representatives of the four Cambodian parties: ratio of representation is the same as that for the Supreme National Council;

(b) Representatives of UNTAC;

(c) One representative from the five permanent members of the Security Council, plus, as an observer with the right to speak, on a rotational basis in the alphabetical order of the following countries: Australia, China, France, Indonesia, Japan, Russian Federation, Thailand, United Kingdom of Great Britain and Northern Ireland and United States of America;

(d) The meetings are to be chaired by the Director for Civil Administration of UNTAC to be appointed by the Special Representative of the Secretary-General of the United Nations.

3. Meetings: The Administrative Consultative Body shall be convened on a regular basis.

4. Function of the Administrative Consultative Body: To make recommendations to UNTAC and the Supreme National Council for decision.

II. The Consultative Committees or CCs

1. Composition:

(a) Representatives of the four Cambodian parties;

(b) Representatives of UNTAC, who will be the Chairmen of the Consultative Committees.

2. Functions of the Consultative Committees: To assist the Administrative Consultative Body in achieving its objective.

Appendix IV

[Original: English]

Revised suggestion by Thailand and Japan

In addition to the 11 points contained in the Tokyo "non-paper" (see S/24286, annex), the following are suggested to contribute to ensuring the neutrality of administrative actions.

A. Establishment of the Administrative Consultative Body and the Consultative Committees

1. It is suggested that a system of bodies be set up to deliberate on any requests, suggestions as well as possible complaints regarding all administrative matters that are related to the control and supervision by UNTAC of existing administrative structures stipulated in the Paris Agreements.

2. The Supreme National Council delegates to UNTAC all the necessary powers for the implementation of the Paris Agreements and, accordingly, the existing administrative structures must be placed under control of UNTAC according to the Paris Agreements.

3. The system of bodies will consist of the "Administrative Consultative Body" and "Consultative Committees" which will be the regional subsidiary bodies of the Administrative Consultative Body (see attachment for details).

4. The Administrative Consultative Body and the Consultative Committees are designed to address administrative issues with a view to ensuring the neutrality of administrative actions relevant to the holding of free and fair elections in Cambodia. The Administrative Consultative Body and the Consultative Committees will have consultative role, and will refer matters through the Administrative Consultative Body to UNTAC and the Supreme National Council. Decisions on the matters referred will be made in accordance with annex I to the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict. All policy matters relating to the implementation of the Paris Agreements will be directly handled by UNTAC and the Supreme National Council in accordance with the Paris Agreements.

5. The functions of the Administrative Consultative Body and the Consultative Committees will be in strict conformity with the terms of the Paris Agreements.

6. The Administrative Consultative Body as well as the Consultative Committees will be established when all the Cambodian parties enter into phase II of the cease-fire.

B. Transparency

Besides the proposed establishment of the Administrative Consultative Body and the Consultative Committees, it is suggested that UNTAC inform the Supreme National Council monthly of its activities concerning the control and supervision of existing administrative structures, inter alia, the activities of the working groups and technical advisory groups and the work of UNTAC personnel installed in administrative agencies, bodies and offices of the existing administrative structures.

Attachment

[Original: English]

Administrative Consultative Body

1. Objective: Act as a coordinating body for consideration of any requests made by any of the Cambodian parties regarding administrative matters related to the control and supervision by UNTAC of existing administrative structures stipulated in the Paris Agreements.

2. Composition:

(a) Representatives of the four Cambodian parties: the ratio of representatives is to be the same as that for the Supreme National Council;

(b) Representatives of UNTAC;

(c) The meetings are to be chaired by the Director for Civil Administration of UNTAC, or by another official to be appointed by the Special Representative of the Secretary-General of the United Nations.

3. The Administrative Consultative Body will be convened on a regular basis, in principle once a week.

4. Functions of the Administrative Consultative Body:

(a) If the requests warrant deliberations:

(i) The Administrative Consultative Body will hold a hearing of the party making the request and the party to which the request is directed;

(ii) After deliberations, the Administrative Consultative Body may refer the matter to UNTAC and the Supreme National Council. Decisions on the matters referred will be made in accordance with annex I to the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict;

(b) If the requests do not merit further deliberation by the Supreme National Council and UNTAC, or when the appeals by a party on the conclusions of the Consultative Committees are dismissed, the requesting party will be told of the conclusion together with the reasons.

5. Consultative Committees:

(a) A Consultative Committee will be established in each zone controlled by respective administrative structures of the four Cambodian parties;

(b) The Consultative Committees will act as regional offices of the Administrative Consultative Body. Each Consultative Committee will consider requests made by any of the Cambodian parties regarding administrative matters that are related to the control and supervision by UNTAC of existing administrative structures within its zone;

(c) The Consultative Committees may refer the matter to the Administrative Consultative Body for further consideration. Any party may make an appeal to the Administrative Consultative Body if it finds the conclusion of the Consultative Committees to be unsatisfactory by providing the reason for its dissatisfaction;

(d) The Consultative Committees will be composed of the representatives of the four Cambodian parties whose ratio of representation is to be the same as that for the Supreme National Council, and of the representatives of UNTAC. They will be chaired by the Senior Representative of UNTAC;

(e) The meetings of the Consultative Committees will be held in the location to be chosen by their Chairman as appropriate in consideration of the subject in question, which could eventually include the office of the respective administrative structures whose functional jurisdiction covers the matter being brought to the Consultative Committees;

(f) The Consultative Committees may seek relevant information from the parties concerned and may have hearings.

Annex II

[Original: English and French]

Report of the Co-Chairmen of the Paris Conference on Cambodia

In your letter dated 2 November 1992, you asked us, in our capacity as Co-Chairmen of the Paris Conference and according to paragraph 13 of Security Council resolution 783 (1992) adopted on 13 October 1992, to undertake appropriate consultations with a view to implementing fully the peace process in Cambodia.

In response to that request, the two co-Chairmen undertook consultations in Beijing on 7 and 8 November with the President of the Supreme National Council of Cambodia, His Royal Highness Prince Norodom Sihanouk, your Special Representative H.E. Mr. Yasushi Akashi, as well as with His Royal Highness Prince Ranariddh representing the FUNCINPEC, H.E. Mr. Son Sann representing the Khmer People's National Liberation Front (KPNLF), H.E. Mr. Khieu Samphan representing the Party of Democratic Kampuchea (PDK) and H.E. Mr. Hun Sen representing the Party of the State of Cambodia (SOC). Consultations were also conducted with the representatives of the permanent members of the Security Council, as well as of Japan, Thailand, Australia and Germany.

To make this meeting most profitable, we conducted on 7 November 1992, throughout the day, consultations which enabled us to gather the views of His Royal Highness Prince Sihanouk, Mr. Akashi, each of the Cambodian factions, the representatives of the permanent members of the Security Council, and the representatives of the above-mentioned other Governments. On the following day, 8 November 1992, the Supreme National Council of Cambodia convened a special session under the chairmanship of His Royal Highness Prince Norodom Sihanouk, in which the two Co-Chairmen, your Special Representative and the representatives of the above-mentioned countries also participated.

As a result of these meetings, we have the honour to present the following observations:

(a) It was generally agreed that, in many respects, encouraging progress was being made in the implementation of the Paris Agreements:

(i) The Supreme National Council, under the chairmanship of His Royal Highness Prince Norodom Sihanouk, has been meeting on a regular basis and has adopted many important decisions;

(ii) Preparations for elections have been started: 11 parties have been provisionally registered so far; the registration of voters, which started on 5 October 1992, is proceeding well and should be completed by January 1993. 500,000 Cambodians have been registered so far, thus showing the desire of the Cambodian people to participate actively in the elections;

(iii) The repatriation of more than 170,000 refugees and displaced persons, out of a total of 350,000, has proceeded satisfactorily. It can now be expected that all the refugees will be repatriated before the May 1993 elections;

(iv) Supervision and control over existing administrative structures has been established throughout the Cambodian territory, except in areas under the control of the Party of Democratic Kampuchea;

(v) Finally, disbursement of assistance for the rehabilitation of Cambodia as decided at the Tokyo Conference in June 1992 has started throughout the country for the benefit of the Cambodian people;

(b) We pay tribute to His Royal Highness Prince Norodom Sihanouk, for his tireless efforts to restore peace and national unity in Cambodia. We welcome your action, as well as the contribution of your Special Representative and of all those who made such a significant progress possible;

(c) During the talks that we held with the representatives of the four Cambodian parties, it became clear that three of those parties remained fully committed to continue cooperating in the implementation of the peace process. On the other hand, PDK confirmed that it was still not prepared to cooperate in the further implementation of the Paris Agreements so long as what they claim to be the improper implementation of certain aspects of those agreements, specifically, regarding verification of foreign (Vietnamese) troops withdrawal and their non-return and regarding the status and functioning of the Supreme National Council, were not resolved. As is known, this party continues to oppose UNTAC deployment in the areas under its control and has so far not complied with its obligations under phase II of the cease-fire and military arrangements (i.e. regroupment, cantonment, disarmament and demobilization of the military forces of all four Cambodian parties). Furthermore, in response to our questions, Mr. Khieu Samphan, President of PDK, also clearly indicated the intention of his Party not to take part in the electoral process and in the subsequent elections, so long as, according to him, a neutral political condition as provided for in the Paris Agreements was not ensured. In justifying his position, the President of PDK reiterated the arguments he had previously submitted to your Special Representative as well as to the representatives of Japan and Thailand when the two countries were earlier endeavouring, unsuccessfully, to find a solution to the deadlock. According to him, the plan of implementation of the Paris Agreements constituted an integral whole; the provisions of the Paris Agreements pertaining to the withdrawal of foreign forces were not implemented properly since, according to him, Vietnamese forces were still in Cambodia; moreover, he believed that the Supreme National Council had not been given the necessary means to fulfil its mandate as stipulated in the Paris Agreements. In response, we recalled the various measures taken by UNTAC to address the concerns expressed by PDK. Thus, in order to verify the withdrawal of foreign troops, the following measures were taken: early establishment of checkpoints at the Vietnamese border; setting-up of mobile military investigation teams, to which all parties were invited to designate representatives, to check on

any presence of foreign troops; calling on all Cambodian parties to provide information on the subject; and the establishment of a strategic investigation team to follow up on any allegations and suspicions on foreign forces. In spite of these measures, UNTAC had not been provided with any information indicating the presence of foreign forces. We also recalled the measures taken by your Special Representative to strengthen the Supreme National Council, inter alia, through the creation of technical advisory committees (on repatriation of refugees, rehabilitation, territorial integrity) in addition to the Mixed Military Working Group, and the establishment of working groups open to all parties in the five areas of the existing administrative structures over which UNTAC exercises control and supervision. In spite of these explanations, PDK maintained its position. We reminded PDK that the Security Council in its resolutions 766 (1992) and 783 (1992) had clearly stated that this attitude represented a violation of the Paris Agreements. We also drew the attention of Mr. Khieu Samphan to the fact that the Security Council remained seized with the matter and would have to consider what further measures needed to be taken in the light of these developments;

(d) Indeed, as you underlined in your above-mentioned letter dated 2 November, the Security Council in paragraph 14 of resolution 783 (1992) requested the Secretary-General to report to the Security Council as soon as possible and no later than 15 November 1992 on the implementation of that resolution and to consider what further steps were necessary and appropriate for the realization of the fundamental objectives of the Paris Agreements. Without prejudice to your report, we believe it may be useful for the Security Council to consider the following points:

(i) Reaffirming solemnly that the Cambodian peace process must continue to be implemented and that the timetable leading to elections in April-May 1993 must be maintained;

(ii) Calling again upon the party that has not yet complied with its obligations, in particular with phase II of the peace plan, to do so;

(iii) Specifying, however, that should this party maintain its present position, the process shall be continued with the cooperation of the three other parties, while still leaving the door open to the non-participating party to rejoin the process;

(iv) Adjusting some aspects of the implementation plan with a view to ensuring the realization of the fundamental objectives of the Paris Agreements;

(v) Requesting the Secretary-General to take all necessary measures to complete the establishment of checkpoints as required in paragraph 3 of Security Council resolution 783 (1992);

(vi) Including an appeal to the general public and all parties to take all necessary measures to ensure the safety and security of all United Nations personnel and to refrain from any threats or violent

acts against them, and to create a neutral political environment for the conduct of free and fair elections;

(vii) Defining measures to be implemented against PDK should it hamper the continuation of the peace plan.

Concerning the next Security Council meeting, we note that in the course of the meeting of the Supreme National Council on 8 November, Mr. Khieu Samphan, President of PDK, expressed the wish to be authorized to state the position of his party to the members of the Security Council. However, His Royal Highness Prince Sihanouk, President of the Supreme National Council, as well as Mr. Yasushi Akashi, your Special Representative, expressed the view that it would perhaps be more appropriate for the President of the Supreme National Council to represent the Supreme National Council in the Security Council and that the position of individual factions could be presented in written form as an attachment to the President's statement;

(e) In conclusion, we should like to invite your attention also to an important matter that was raised in the course of the consultations in Beijing. We noted the strong interest expressed by three of the four Cambodian parties (SOC, FUNCINPEC and KPNLF) that, in addition to the scheduled general elections for a constituent assembly, elections should also be held for a Cambodian head of State on the basis of direct universal suffrage. It was felt that such a presidential election would contribute significantly to the process of national reconciliation as well as provide an anchor of stability in the interim period after the general elections and before a new Government of Cambodia could emerge. We noted, however, that the fourth Cambodian party, without raising objections in principle, did not join the consensus on this subject. Nevertheless, we believe that it may be useful to keep this idea in mind, since such an election would help implement the peace process.

Roland DUMAS

Ali ALATAS

Annex III

[Original: French]

Statement by the two Co-Chairmen of the Paris Conference on Cambodia

Pursuant to Security Council resolution 783 (1992), adopted unanimously on 13 October 1992, the Supreme National Council of Cambodia met at Beijing on 8 November 1992 under the leadership of His Royal Highness Prince Norodom Sihanouk, with the participation of the Co-Chairmen of the Paris Conference, Mr. Roland Dumas, Minister of State and Minister for Foreign Affairs of the French Republic, and Mr. Ali Alatas, Minister for Foreign Affairs of the Republic of Indonesia, as well as Mr. Yasushi Akashi, Special Representative of the Secretary-General for Cambodia.

The two Co-Chairmen paid tribute to His Royal Highness Prince Norodom Sihanouk, President of the Supreme National Council, for his tireless efforts to restore peace and national unity in Cambodia.

They then presented to the Council a mixed assessment of the results of the peace plan at the halfway point in its implementation.

(a) Some aspects are unquestionably positive:

(i) The deployment of approximately 16,000 troops and 5,000 civilians has been completed;

(ii) Supervision and control over existing administrative structures have been established in all the sectors concerned and almost throughout the whole country, with the exception of the areas controlled by Democratic Kampuchea;

(iii) The Supreme National Council, in which all parties in Cambodia participate under the leadership of Prince Sihanouk, has adopted important decisions at each of its meetings;

(iv) Preparations for the elections are well under way: 11 political parties have been provisionally registered; the registration of all those eligible to vote, initiated on 5 October 1992, is proceeding smoothly, and should be completed in January 1993; 500,000 Cambodians have already been registered in voter registration lists, which testifies to the Cambodian people's desire to participate in the elections in overwhelming numbers;

(v) The repatriation of more than 170,000 refugees, out of a total of 350,000, has taken place under satisfactory circumstances. It is now virtually certain that all the refugees will be resettled before the elections in May 1993;

(vi) Lastly, the financial contributions to Cambodia's rehabilitation decided on at the Tokyo Conference ($800 million) have begun to be distributed in the country for the benefit of the Cambodian people;

(b) On the other hand, the military aspects of the United Nations peace plan have been stalled since 13 June 1992, because of Democratic Kampuchea's refusal to implement phase II of the plan and to allow the United Nations to have access to the areas under its control. In view of that situation, the Co-Chairmen recalled the decisions adopted by the Special Representative in response to the concerns expressed by Democratic Kampuchea with regard to the alleged presence of foreign troops;

(i) The early establishment of checkpoints along the country's border with Viet Nam;

(ii) The creation of mobile military fact-finding units to investigate reports of foreign forces;

(iii) An appeal to all parties in Cambodia to provide all relevant information on the subject, and the establishment of a strategic investigation team in which all parties had been invited to participate.

The Co-Chairmen also recalled the decisions already adopted by the Special Representative to strengthen the powers of the Supreme National Council through the establishment of technical advisory committees and working groups (on the repatriation of refugees, rehabilitation, territorial integrity, information, public safety and finances), in addition to the Mixed Military Working Group.

The two Co-Chairmen expressed regret that the efforts made by Japan and Thailand had not succeeded; they believed that the non-implementation of phase II of the plan now made it necessary to revise the mandate of the military component of the United Nations Transitional Authority in Cambodia.

They further reaffirmed that no party had the right to default on its obligations on the ground of complaints relating to the implementation of the plan. Such an attitude could not be tolerated.

They urgently appealed to all parties in Cambodia to show full respect for the cease-fire and the military status quo. In particular, they demanded strict guarantees of the safety and security of all United Nations personnel.

(c) In accordance with Security Council resolution 783 (1992), the two Co-Chairmen will report to the Secretary-General within the next few days on the overall results of their efforts, so that the Secretary-General may, as requested, report to the Security Council no later than 15 November 1992. The Council will then be able to consider what further steps are necessary and appropriate to ensure the realization of the fundamental objectives of the Paris Agreements and the holding of the elections on the scheduled date, no later than May 1993.